IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

-

WRIT PETITION NO : 15255 of 2005

Between:

Sunil Bisoi, S/o. Meghanadha Bisoi,
R/o. Plot No. 1, NABARD, Vinayak Nagar, Ring Road, Vlzianagaram,

..... PETITIONER

AND

1. The Revenue Divisional Officer, Tekkali , Srikakulam District,
2. NTR University of Health Sciences, Rep,. by its Registrar, Vijayawada,

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of Mandamus or any other appropriate writ or direction declaring the action of the 1st respondent in not passing any orders on the application dt. 1-11-2003 for issuance of ST certificate as illegal arbitrary and contrary to the provisions of A.P. (S.C., S.T. and BC) Regulation of Issue of Community certificate Act 1993 and rules 1997.

Counsel for the Petitioner: MR.O.MANOHER REDDY

Counsel for the Respondent No.1: GP FOR SOCIAL WELFARE

Counsel for the Respondent No.2: MR.D.V.N.BABU

The Court at the admission stage made the following:

ORDER:

This writ petition is filed aggrieved by the inaction of the first respondent in issuing community certificate to the petitioner though he made an application on 01.11.2003 claiming that he belongs to Bento Oriya caste, which is notified as a Scheduled Tribe.

According to the petitioner, he appeared for EAMCET-2005 and secured a rank of 68,709. It is stated that since the counselling is scheduled from 17.07.2005, the petitioner has come up with the present writ petition seeking a direction to the first respondent for issuing caste certificate, if not a regular certificate, at least a provisional certificate so as to get admission into one of the courses offered at the counselling.

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare appearing for the respondents.

Admittedly, the petitioner is claiming that he belongs to Bento Oriya caste, which is notified as a Scheduled Tribe. It is also stated that the first respondent did not pass any orders on the application of the petitioner stated to have been made on 01.11.2003.

Under the above circumstances, the petitioner is directed to make a fresh application within a period of three days from the date of receipt of a copy of this order. On receipt of such application, the first respondent is directed to make necessary enquiry and issue caste certificate within ten days from the date of the application. It is made clear that if a regular certificate could not be issued within that time, it is open to the first respondent to issue a provisional certificate.

The writ petition is accordingly disposed of. No costs.

14.07.2005

Note: Issue CC by tomorrow

(b/o)

VGB

To

1. The Revenue Divisional Officer, Tekkali , Srikakulam District,

2. The Registrar, NTR University of Health Sciences, Registrar, Vijayawada,

3. 2CCs to the Government Pleader for Social Welfare, High Court Buildings, Hyderabad. (OUT)

4. 2CD copies.